

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BECKLEY

JASON K. STRATTON,

Plaintiff,

vs.

CIVIL ACTION NO. 5:16-cv-12204  
Honorable Irene C. Berger

ARCH COAL, INC., a foreign  
corporation, MINGO LOGAN COAL  
COMPANY, a foreign corporation,  
and ARCH COAL GROUP, LLC, a  
foreign corporation,

Defendants.

**Original**

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VIDEO DEPOSITION OF JASON K. STRATTON

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JULY 7, 2017  
9:18 A.M.

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STEPTOE & JOHNSON, PLLC  
CHASE TOWER - 17TH FLOOR  
707 VIRGINIA STREET, EAST  
CHARLESTON, WEST VIRGINIA

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*Evelyn Garrett Bibbee  
Certified Court Reporter*

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1 Q why not?

2 A Because they had audits after audit and  
3 never done nothing to anybody, and when the business  
4 manager, Tim Leep, reported it, he got fired.

5 Q When did Tim Leep report something?

6 A You'll have to ask that to Arch Coal. I  
7 don't know the date.

8 Q How do you know that he reported it?

9 A Because that's what David Runyon and  
10 everybody said at the coal mines.

11 Q And how did he report it, to whom? Do you  
12 know?

13 A I don't know.

14 Q But Dave Runyon told you that Tim Leep was  
15 fired?

16 A Yes, and told me I was going to be next if  
17 I didn't shut my mouth.

18 Q You never reported this to St. Louis,  
19 though?

20 A No.

21 Q You had no reason to distrust St. Louis,  
22 did you?

23 A Well, if they have audits and they  
24 investigate stuff and the business manager reports

1 Q what did he say?

2 A He said Tim was fired for reporting stuff  
3 to St. Louis and that he didn't know what he was talking  
4 about.

5 Q Do you know what he reported, Mr. Leep?

6 A I have no clue.

7 Q Okay. who else was present when Carlos  
8 said this?

9 A I couldn't tell you that.

10 Q You said that Dave Runyon told you that.

11 A Yes.

12 Q what did Mr. Runyon say?

13 A That was the first time he called me to his  
14 office and told me that he heard rumors that I was  
15 saying that they -- he was taking kickbacks, him and  
16 Gary Griffith, and they fired Tim Leep over it and if I  
17 didn't shut my mouth, that I was going to be next.

18 Q when did that happen?

19 A Sometime after Tim Leep was fired.

20 Q A year, 2011?

21 A Probably wasn't even a year.

22 Q You think -- About what year do you think  
23 it happened?

24 A I mean, I don't want to sit here and guess.

1 Q It was before Mike Carey interviewed you,  
2 though, right?

3 A Yes.

4 Q In fact, Dave Runyon had been fired before  
5 Mike Carey interviewed you yet, right?

6 A Yes.

7 Q Was anybody present with you and Mr. Runyon  
8 when he made these comments?

9 A No.

10 Q All right. Who else --

11 A He even called my wife and told her the  
12 same thing.

13 Q Who, Runyon?

14 A Yes, called her into his office, told her  
15 not to believe me about the rumors --

16 Q Okay.

17 A -- that I was saying about him receiving  
18 kickbacks.

19 Q Had you said anything to anybody about  
20 kickbacks?

21 A A bunch of people.

22 Q Nobody in St. Louis, though?

23 A No.

24 Q Who else was run off -- or, I'm sorry --

1 compliance officer?

2 A More than once.

3 Q Did you?

4 A No.

5 Q Did you tell him you didn't?

6 A Yes.

7 Q You understand that the purpose for having  
8 a chief compliance officer is so that you can go above  
9 management at your mine and complain?

10 A I don't believe that.

11 Q You don't believe that's the case?

12 A No.

13 Q why would you have one then? what would be  
14 the purpose?

15 A I don't know why they would have one  
16 because when everybody at the mines knows what's going  
17 on and you've got a business manager that reports them  
18 to corporate and he loses his job, why would you want to  
19 go report anything to them? I've went back and reported  
20 it to them and it cost me my job.

21 Q well, you lied to Mr. Carey --

22 A No, I didn't.

23 Q -- on April 21, 2014, didn't you?

24 A I didn't tell Mr. Carey nothing because I'd

1       been called to Dave Runyon's office and he had  
2       threatened me every way possible, that he was going to  
3       fire me and if I didn't watch out, that I was going to  
4       be took out.

5               Q       But Runyon had already been fired before  
6       you went to see Mr. Carey.

7               A       Yeah, but I didn't know what was going -- I  
8       didn't know what they was going to do to me because I  
9       was getting the blame for telling the FBI on them.

10              Q       Wait a minute. You hadn't even told Mr.  
11      Carey anything about the FBI on April 21, 2014.

12              A       No. I did not trust him.

13              Q       Okay. So you didn't trust anybody?

14              A       I trusted the FBI.

15              Q       You didn't trust Mr. Carey, who was a  
16      former United States Attorney, doing an investigation?

17              A       I don't know anything about Mr. Carey.

18              Q       Okay. You knew he was an outside lawyer  
19      coming in?

20              A       Yes.

21              Q       You knew that he was doing an investigation  
22      of wrongdoing? He told you that.

23              A       Yes.

24              Q       How is the company going to find out what's